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A Sensible Decision.

The Court of Appeals has made short work of the legal subtlety evolved by the lower courts to the effect that the state was constitutionally barred from declaring the flight of an automobilist after running down and injuring a person on the highways to be a crime. Every right thinking person feels the reprobation of this offense that he feels of a crime. It is not an action which is wrong merely because the law declares it to be wrong, but one at which the conscience of the community revolts, one which every man instinctively regards as morally shameful and despicable.

The suggestion that the state could not punish it was one which, coming from the courts, brought the courts and the law into contempt. Half the present day dissatisfaction with the courts springs from decisions like this one which the Court of Appeals has just overruled. When the judges throw common sense to the winds and follow their legal subtleties wherever they lead, even though the result is to make constitutional barriers the bulwark of injustice, they pursue a dangerous course. This decision of the Court of Appeals sustaining the Callan law provision making flight after an accident a crime is, with others of its kind, a welcome sign of a sounder tendency among judges.

The Court of Appeals does not meet squarely the issue of the abuse of the constitutional immunity from self-incrimination which has grown from the steady widening of the scope of that immunity by judicial decisions until the protection of society against criminals has been made unduly difficult. Some day courts will have to interpret the constitutional provision granting this immunity strictly and in accordance with common sense. In this decision the court implies that it might begin the process if necessary, but it prefers to sustain the law on the ground that even if the requirement to furnish evidence with regard to an accident did invade constitutional rights the state had authority to compel the waiving of those rights as a condition of the use of automobiles.

Sustaining the Callan law will make reckless automobilists more careful. Recourse to flight will not be so common when the automobilist realizes that in fleeing he lays himself open to punishment for a felony, even though his responsibility for a crime in connection with the accident itself may be impossible to establish.

A Governmental Mishit.

The rejection of the Curran report will inevitably put new vitality into the agitation for the abolition of the Board of Aldermen. Most of the framers of revised charters for the city have taken note of the vermiform appendix characteristics of the board and sensibly eliminated it. It is a supposed legislative body with practically no legislative powers and a supposed advisory council which no responsible branch of the city government ever has the slightest inclination to consult. The few functions which it still discharges as the pale shadow of its former self could be discharged to much better advantage by city bureaus or by the Board of Estimate and Apportionment.

The present Board of City Fathers is a burlesque establishment. Its membership is much too large and its duties are much too inconsequential to attract into it men of the calibre desired to take a hand in city government. There are a few efficient and serious minded aldermen, but they shine by contrast with the great majority of their fellows. The real purpose of the board as at present constituted is to furnish sinecures for small-sized politicians. In an up-to-date city government there should be no place for a misfit eleemosynary institution of that sort.

Reform Against Reform.

A singular case of an intended reform operating to prevent desirable political action is just now presented in New Jersey. The Geran election law, which was enacted in that state at the instance of Governor Wilson, was supposed to be the most advanced measure of the kind thus far adopted by any state, in its arrangements for universal primaries as well as for elections.

Now, however, it is interpreted to forbid the uniting of any two parties upon a single candidate, no matter how desirable he may be or how much the rank and file of the parties desire him. There are several candidates for the Governorship this year who would be equally acceptable to both Republicans and Progressives, and the nomination of some one of whom is generally desired by both those parties. Yet it is held that it would be illegal for one of them to be nominated by the two.

There is something radically wrong in such a system, which, if applied to this city, would forbid the naming of a fusion candidate for Mayor. Doubtless it is desirable to prevent the foisting of an unfit candidate upon a party by boss dictation or manipulation. But where candidates are chosen by all the people at free, open primaries the people surely ought to be able to choose whatever candidates they prefer.

The Mistaken Silence of Speculators.

There will be no dissent from the admission of the British Attorney General that he and his ministerial colleagues made a mistake in keeping silent about their Marconi speculations during the debate and inquest of October last.

There is no imputation of corruption in their dealings. There may, according to some canons, have been no impropriety in speculating on the stock exchange in securities the value of which might be affected by official action. But there was a lack of frankness in the deliberate concealment of those transactions at the time when the first question concerning them was raised.

The incident is perhaps most significant of a departure from the traditions of British public life and of a changed sense of fitness. Hitherto the idea has prevailed that great officials of state, receiving enormous salaries, should refrain from speculative

commercialism during their terms of office. It is impossible to imagine Gladstone or Bright or Salisbury speculating on the stock exchange on the strength of "inside tips" given by men who sustained contract relations with the government.

But—other times, other men, other manners. Perhaps the new order was inevitable. It is to be hoped that it will not be carried so far as to deserve more serious characterization than that which the Attorney General has already given to it.

Why Waste the Words?

Our genial, truth-loving Mayor made another of his modest little speeches the other night. That he is the best of Mayors and Waldo the best of Police Commissioners, notwithstanding "the purple-lipped and bleary-eyed newspapers," that "one little police lieutenant" was corrupted, that Benedict Arnold and Judas Iscariot were also corrupted, that, though "nagged and fretted," he is not "disturbed a bit"—all this familiar stuff was recited again by the Mayor exactly as if somebody, somewhere, believed it.

Why? Why waste the words? It would be an insult to the intelligence of a very intelligent man to suggest that the Mayor believes it. And surely nobody else, sober and sane, in the city or out of it, believes it.

When everybody knows that his honor is talking rubbish, and his honor knows that everybody knows, why go on?

A Quick Reversal of Form.

There is an almost humorous aspect to Senator O'Gorman's recommendation of ex-Governor Dix for appointment as Governor General of the Philippines. It will be recalled that less than a year ago Mr. O'Gorman and all the other managers of Mr. Wilson's campaign for the Presidency were straining every nerve to prevent Governor Dix's renomination by Tammany. They argued with Murphy and the Murphy satellites that Mr. Dix had failed here as an administrator and that his renomination would endanger the national ticket.

If Mr. O'Gorman can now recommend Mr. Dix for a post as important and difficult as that of Governor General of the Philippines he has undergone a remarkable reversal of form. What has happened in the last nine months to cause the junior Senator to transfer Mr. Dix's name from the Syracuse blacklist to a place of highest honor on the roll of eligible federal administrators?

The Learned Court Reverses the Architects

From the learned opinion handed down by our Justices in the case of the round courthouse we gather that the proposed building has not a legal leg to stand on. It has "radical defects" which are "a corollary of its circular form." While "conducive to an attractive exterior, it subordinates internal utility to exterior appearance." It is "experimental," because no such open court as is planned "is known to us or to any one from whom inquiry has been made." The light and ventilation are "fatally defective." Probably a round courthouse is unconstitutional as well—though the court does not find it necessary to pass upon this point.

This is all very interesting. But it hardly seems important. The experts upon design have spoken and approved the plans. The Justices have the right under the law to pass upon the design, and their opinion upon the adequacy of accommodations and the general suitability of the structure for the uses in sight is well worth having. Had the Justices confined their opinion to such points no criticism could be made. In spreading their complaint over matters of expert technical knowledge and protesting that no precedents had been cited they have reduced their argument to absurdity.

It is a pity that the new courthouse should be thus obstructed. Goodness knows the new structure is urgently needed—as our judges have very properly and very insistently pointed out. Is it too late to suggest an appeal from Mr. Justice Precedent to the Court of Common Sense?

The Peaceful Navy Builder.

It is an interesting circumstance that in the culmination of his jubilee the German Emperor was acclaimed at once as the preserver of peace in Europe and as the creator of the German navy. Both attributions were deserved. No other civil ruler on the Continent has been comparable with him in effective influence for peace; and at the same time he has developed the German war fleet from a negligible quantity to the second in the world.

Interesting it is, but not incongruous. There is, indeed, good cause for doubting whether the Emperor could have been the potent force for peace that he has been if he had not developed great military efficiency on the sea as well as on the land. With his fleet far surpassed by those of two or three other Continental powers, his voice in international councils would have been of minor authority. It is because of his unquestioned might that his irenic utterances are so effective.

It all depends upon the purpose for which a fleet is built or an army enlisted. Done aggressively with a view to conquest it is a menace to peace. Done conservatively with a view solely to self-protection it makes for the maintenance of peace upon the one sure basis of justice. It is in this latter way that the Emperor has developed the German fleet, and the world has been the gainer from his doing it.

A Novelist of Old New York.

Thomas Allibone Janvier, who died yesterday, is entitled to friendly remembrance by all good New Yorkers. His sojourn among us yielded a series of studies of the city's older days, and of its bohemian and foreign life thirty years ago, that will retain their charm as time recedes. He was especially felicitous in observing and turning into stories the Greenwich Village of that period, most picturesque of fields for the local fictionist, now disappearing fast, and commemorating its passing only the other day with an Old Home week, from the reports of whose doings Janvier's name was strangely missing.

His was the mind that readily and thoroughly assimilates its environment and atmosphere, wherever it happens to find itself. What he did for the life of the New York that once clustered around Washington Square he did also for Mexico and our Southwest. He did it most sympathetically and joyfully for the South of France. It was to him that the New World owed its intimate introduction to the poets, as to the sunshine and the people, of Provence. His was the voice that interpreted to us Roumanille and Mistral, his the pen that translated Félix Gras's revolutionary romances of "The Reds of the Midi," his the mission of celebrating among us the Félibrige, which rewarded him so fitly by enrolling him among its members.

His rank was among the minor workers in the

field of our literature, but he held a worthy place among them, and held it worthily. He loved his work and respected it; some of his short stories deserve a modest place among the best that were produced in the days of the genre's late flowering in America.

Among the items of America's yearly expenditure of some \$900,000,000 for music we fail to find mention of contributions to the mechanical street pianos.

Now there is a Norwegian-American line of steamers, of course under the Norwegian flag. But one under the American flag? Nay, nay! Not though we approach the centenary of "The Star-Spangled Banner."

In his ill-starred visit to this country Dr. Friedman has "viewed all occurrences in a philosophic frame of mind." Even the opulent capitalization of his "cure."

AS I WAS SAYING

Here is richness—a letter signed "O. G." with which sentiment we are in entire accord. For it appears that the "Two-Centers" is bringing out this lady's "little dime novel" minus the passages that might perhaps have thrown some light on its plot.

Yes, and now comes a wild and piercing whoop from "J. C. C." whose masterpiece in "The North Atlantic Sinker" reads backward; and chopped off and stuck on in front! As "The Sinker" is taken largely by alienists, "J. C. C." has espoused an indoor existence, afraid to stir out.

Sad cases, both, though we know a sadder. When Mr. Mark Sullivan wrote that famous article, "The — of —," which turned politics galley-ends in the great State of — and elevated old man — to the Governorship, a wicked editor amputated the signature, thus delaying Mr. Sullivan's rise to eminence anywhere from ten to fifteen minutes.

If we chose we could recite almost as ferocious adventures of our own, but we are by this time old, tough and strident, and no longer fidget. We warn you, however, that there are worse terrors by far than that dread banana peel of literature, the rejection slip.

A restaurant. Temperature 212. Two gentlemen sizzling at luncheon. First gentleman: "Say, a scuttle of beer would go good about now." Second gentleman: "Right you are!"

A hospital. Ambulance at door. Cries the young fellow in the white jacket: "Hello, Doc! Business is fine! Got a couple more of 'em here; heat prostrations; same old story, I guess—beer with their luncheon."

Moral: We have it from the thermometer that even Republicans should at times forgive grape juice and cheer for the Beerless One.

Good Dr. Josiah Oldfield has discovered that "although marriages are made in heaven, they are too often marred at the breakfast table." But we find that they are still often marred at the dinner table. This is because of small platters. Statistics teach us that 9.4 husbands out of every 10 carve on platters so ruinous to tablecloths, shirt fronts, collars, wall paper, ceilings and the moral nature of man, woman and child that the only logical consequence is Reno.

Silly Season whoopers are quoted lower than ever before, and there is woe among sea serpents, gloom among phantom airships and positive disheartenment among seven-legged chickens. What hope remains for the independent producer when Congress is to sit all summer?

Another one has started, and promises to become a worthy successor to "How much wood would a woodchuck chuck if a woodchuck could chuck wood?" Many heretical versions of the new teaser are at large, but the true form is as follows, and must be strictly adhered to by the faithful:

Bill had a billboard and Bill had a board bill, and Bill's board bill bored Bill till Bill sold Bill's billboard to pay Bill's board bill, and then Bill's board bill no longer bored Bill.

We shall yet get even with those of our readers who inquire anxiously, "When are you going to take your vacation?" For we shall return, and when we do the air will be filled with fur and feathers, as we mean to put in our vacation developing the powers of our brain. Already we have filled out the free coupon in "The Pay's Weekly" and mailed it to the enchanted address, 29 Henrietta street, London, W. C. Prepare to shudder! In a few brief weeks we shall be neatly fitted up with all the modern improvements in the prospectus:

Concentration. Will Power. Judgment. Ideation. Creative Ability. Driving Force. Decision. Initiative. Self-Confidence.

Verbum sap. Persons entertaining simian designs upon the buzzsaw do so at their own risk.

And now there is talk of a minimum wage for poets! Bravo! We love the poets, and devoutly hope they will get it.

A ROUND COURTHOUSE? NO PRECEDENT!



THE PEOPLE'S COLUMN

An Open Forum for Public Debate

OUR LOCAL HORRORS

Why Not Treat the Park Freaks to a Sea Voyage?

To the Editor of The Tribune.
Sir: Hall of Horrors is appropriate as a name for a room in the Capitol at Washington for offices of late and unlearned politicians. I commend The Tribune editorial of this date for careful study by our Park Commissioner and other city officers who concern themselves about such merchandise.

The Tribune suggests that the offices of the Capitol be marshalled in columns of four abreast and marched to a remote corner and reduced to marble dust. The Tribune has the right idea for the cure of effigy worship.

Now will The Tribune turn its attention to New York effigies? How would it do to round up the park freaks, lead them on a scow and send them to sea? For every New York effigy thus displaced mark the spot with a tree.

ELMER LEE.

New York, June 18, 1913.

FIGHT AGAINST CONSUMPTION

Figures Are Presented to Support Modern Methods.

To the Editor of The Tribune.
Sir: In The Tribune of January 5 there appeared a statement on consumption written by Dr. Thomas J. Mays, the gist of which was a rather severe criticism of the modern methods of combating that disease on the theory that it is of the germ order, and, therefore, infectious.

The author made the claim that millions of dollars have been wasted because of lavish expenditures made to little or no purpose, the mortality from consumption having declined at a slower average rate since the inception of the modern crusade than immediately previous thereto. In support of this severe indictment Dr. Mays presented a crude diagram stated to have been based upon the statistics for thirteen large cities of the United States, which formed his evidence that the mortality rate from consumption "per thousand living inhabitants is lower in the first (1875 to 1893) than in the second (1893 to 1911) half period."

A careful review of the mortality data from consumption in this country does not confirm Dr. Mays's proof, and if his proof fails his somewhat lengthy argument is, to say the least, materially weakened.

Practically all of the American cities show a more or less persistent decline in the death rate from consumption beginning with the 80's, and the statistics of such of the cities as have trustworthy records for a century furnish proof that there was little or no diminution in the death rate from consumption in the first three-quarters of the nineteenth century. As these statements are based upon facts and are not presented to bolster up any preconceived theory, it seems worth while to present a combined summary of the statistics of twenty cities for the period 1875 to 1912 and for three cities for the period 1812 to 1912.

SUMMARY OF THE MORTALITY STATISTICS OF CONSUMPTION IN TWENTY AMERICAN CITIES—1875-1912.

Year.	Population.	Deaths.	Rate per 10,000 pop.
1875-79	20,975,358	45,132	21.6
1880-84	21,133,721	109,017	51.1
1885-89	20,473,859	103,920	50.8
1890-94	20,939,853	108,849	51.9
1895-99	21,084,573	107,588	50.9
1900-04	22,807,618	117,581	51.5
1905-09	22,880,135	127,721	55.8
1910-12	40,392,883	70,971	17.6

"Haltmore, Boston, Brooklyn, Charleston, Chicago, Cincinnati, Lowell, Milwaukee, New York, New Haven, New Orleans, New York (Manhattan and The Bronx), Philadelphia, Pittsburgh, Providence, Reading, Richmond, St. Louis, San Francisco and Washington.

SUMMARY OF THE MORTALITY STATISTICS OF CONSUMPTION IN THREE LARGE AMERICAN CITIES—1812-1911.

Year.	Population.	Deaths.	Rate per 10,000 pop.
1812-21	2,808,291	11,755	41.9
1822-31	3,934,572	16,126	41.0
1832-41	5,030,880	23,907	47.5
1842-51	6,082,028	31,168	51.3
1852-61	7,633,399	50,964	66.8
1862-71	17,607,426	64,492	36.6
1872-81	22,248,544	81,665	36.7
1882-91	28,911,281	95,355	33.0
1892-91	35,838,993	99,273	27.7
1902-11	48,844,515	98,094	20.1
1912	5,214,633	9,338	18.0

"Boston, New York (Manhattan and The Bronx) and Philadelphia. 1872.

These statistics, carefully compiled from official reports, do not confirm Dr. Mays's findings, nor do they give support to his contention that the modern efforts to combat the disease have been unavailing because the crusaders have followed a "blind trail." Comparing the death rates for 1875-1879, 1880-1884 and 1906-1909 in the first table, we find that the respective average rates were 21.6, 51.1 and

19.5 per 10,000 population. In other words, the rate fell 26.6 per cent in the first twenty year interval, and 23.3 per cent in the second twenty year interval. It is important to note that the rate of decline in the mortality was more rapid in the second than in the first twenty year interval. This is exactly the opposite of Dr. Mays's contention. It is important, too, to note that here as in similar phenomena it is almost always progressively more difficult to bring about additional improvement in a death rate as the rate approaches more and more near to the zero mark. To reduce the death rate from consumption from 40 to 30 per 10,000 population is one thing, but to reduce it from 30 to 20 per 10,000 population is quite another matter.

Considering now for a moment the second table, which concisely presents a century history of consumption mortality in three of our largest cities, we find that the average death rate declined from 41.9 in 1821 to 37.2 per 10,000 population during 1825-1871. This represents an actual decline of only 4.7 per 10,000 population, or only 11.2 per cent. On the other hand, the average death rate during 1902 to 1911 had fallen to 21.4, which represents a drop of 15.8 points from the average rate in 1825-1871, or 42.5 per cent. During 1912 the average mortality rate for these three cities combined was only 18 per 10,000 population, by far the lowest average rate for these cities during their consumption mortality history.

In the face of these incontrovertible facts it seems to the writer that, to paraphrase an old adage, he who follows a blind trail should not attempt to blaze the way for others.

F. S. CRUM.

Newark, N. J., June 6, 1913.

THE FIFTEEN STRIPES.

How and When They Were Placed in the American Flag.

To the Editor of The Tribune.
Sir: Will you kindly tell me where you got your authority, and why the change in the flag from thirteen to fifteen stripes? (Miss ADELAIDE C. SMITH, Asbury Park, June 14, 1913.)

[The flag of thirteen stars and thirteen stripes was adopted by Congress on June 14, 1777. The stars were at first arranged in a circle, but a few years later were placed in rows. After the admission of Vermont and Kentucky to the Union the number of stars and stripes was increased to fifteen each, on May 1, 1795, the law to that effect being signed by President Washington January 13, 1794. The flag remained in that form through our wars with France, with Tripoli and with England, on the first voyage of an American warship around Cape Horn and the Cape of Good Hope, and in the writing of Key's "Star-Spangled Banner." On April 4, 1818, President Monroe signed the present flag law, and on July 4, 1818, the national ensign was made to consist, as at present, of thirteen stripes and of a number of stars equal to the number of states.—Ed.]

PROTECTING THE BIRDS

What Must Be Done to Save the American Prairie Chicken.

To the Editor of The Tribune.
Sir: I note the letter by G. O. Shields entitled "Protecting the Birds." I am glad to know that Mr. Shields takes the stand that he does for the noblest of all game birds, the American prairie chicken. He is exactly right in claiming this bird to be a migratory bird. It is not naturally so, but has become so through changed conditions of the country.

Ten years ago I made a careful canvass of Page County, Iowa, and made an estimate of the number of birds. On October 24 the first birds were seen, and on November 28 the estimate was 5,000 birds in flocks of from twelve to forty birds. Last November I estimated that in the entire county there were not to exceed 500 birds, and these were in flocks of from three to ten. What a shame, what a disgrace! Who is killing these noble birds? The birds that winter in Iowa are hatched in the fields of North and South Dakota, where they grow fat on the wheat and hoppers of the prairie—wheat that is only left for the gleaners and hoppers that would damage the next year's crop. Why do these two states allow such long open seasons and such large bags? Who is responsible for such a deplorable state of affairs? I can only attribute it to the apathy of the public and the activity of the hotel men, livery

men and merchants of guns and ammunition. By December 1 not a bird can be found in the above states. Where are they? They are in the clover and corn fields of Iowa and Missouri from Sioux City to St. Joseph. Iowa winters them and sends them back in March to make new broods.

For pity's sake let's class this bird as migratory, for such it surely is, and have it protected—give it protection that is real. Make the penalty so that none will be butchered. What a shame to the American people when five years hence this beautiful bird can be seen only in a park!

W. D. GAY.

Mayor of Essex, Iowa.

June 14, 1913.

AN ANSWER TO THE "ANTIS"

A Suffragist Explains Why Women Should Have Their "Rights."

To the Editor of The Tribune.
Sir: The fact that \$100 prizes were awarded by the Association Opposed to Woman Suffrage for the letters published in Monday's paper gives evidence that the reasons set forth in them are really taken seriously.

Having lived where women voted in city elections for several years, in a state where one town after another saw women the vote, and finally the state gave them unlimited franchise, I cannot understand how such ideas could have been imagined.

The idea that women will not vote if allowed to do so and that permission to vote will prevent them from bearing children seems not only ridiculous but conflicting. The idea that only women of the "red light" district will vote is a mistake. Of course, women of the "red light" district are opposed to women voting because they themselves are so small a percentage of women that they fear the vote of the masses of decent women combined with decent men. There have been so many towns and cities where their "business" has been greatly curbed.

Of course, those opposed to woman suffrage do not vote for a few years after they have the privilege, but I think a great many "antis" would be glad of an opportunity to vote if two such men as Gaynor and Whitman were running for the office of Mayor.

One says: "New Zealand and Colorado defeated prohibition, while West Virginia carried it by a large majority." Is this a reason why no woman should be allowed to vote? Kansas, where women have voted in many towns for many years, while New York, where only men vote, is not a temperance state. According to the foregoing theory, men should not be allowed to vote.

One reason is: "I oppose any movement which weakens the modesty of women." So does every suffragist and other respectable person. Women who mix in the "red light" and "white slave" business are made and saved. If all men would be decent and marry decent women, women would not take "men's places"—to keep from starving.

If women had been given their rights after only forty years of earnest pleading there never would have been any "hiking" or militancy.

GEO. M. BEERBOWER.

New York, June 12, 1913.

POLITICAL MURDER AT ISSUE

To the Editor of The Tribune.
Sir: Complaint has been made that President Wilson has not recognized the so-called regime in Mexico. Why should the United States recognize political murder any quicker than any other kind of brutal despotism? The other nations have done it, but they have done other things too numerous to mention, and are always looking out for their own selfish pocket. The quicker government by murder goes off the map the better for an enlightened, decent civilization. President Wilson has set an example to the civilized world in his handling of the Mexican situation, just as he has in his enlightened action in the Japanese matter. And he has found time to give Wall Street a lesson in financial decency that will last it for a while.

THEODORUS VAN WYCK.

New York, June 14, 1913.